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Deliver to: Johnson III, Henry M., USPTC Facsimile No.: (571) 273-8300 From: William Thomas Babbitt, Reg. N Our Docket No.: 4131P005C2 Application No.: 10/718,272	Date: October 14, 2005			
Enclosed are the following documents: Docket Due Date(s): 10/9/2005 11/9/2005				
Amendment:After Final (_11_ pgs) Appeal Brief (pgs) Application: (pgs) w/cover & abstract) Assignment & Cover Sheet (pgs) Certificate ofFacsimile Continued Prosecution Application (CPA) Declaration & POA (pgs) Drawings: sheets, figures Extension of Time: Fee Transmittal (in duplicate) DS & PTO/SB/08 (pgs) Other	□ Issue Fee Transmittal □ Notice of Appeal □ Petition for: □ Request for Continued Examination (RCE) □ Reply Brief (pgs) □ Request & Certification Under 35 USC 122(b)(2)(B)(i) □ Request to Rescind Previous Nonpublication Request □ Response to Notice of Missing Parts & Formalities Letter □ Response to Written Opinion (pgs) ☑ Terminal Disclaimer □ Transmittal of Publication Fee Due ☑ Transmittal Letter			
CERTIFICATE OF MAILIN	G/TRANSMISSION (37 CFR 1.8A) ed by facsimile on the date shown below to the United States			

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10/14/2005 Date

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Nety Calderon

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	10/71	8,272	
		Filing Date	Nove	mber 18, 2003	
		First Named Inventor	Jeffre	y W. Baxter	
		Art Unit	3739		
		Examiner Name	Johns	on III, Henry M.	
Total Number of P	ages in This Submission	on 14	Attorney Docket Numbe	41311	P005C2
ENCLOSURES (check all that apply)					
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Certified Copy of Priority Document(s)					
Response to Missing Parts/ Incomplete Application Remarks			<u> </u>		
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Declaration/POA Response to Missing Paris under 37 CFR 1.52 or 1.53					
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT William Thomas Babbitt, Reg. No. 39,591					
or Individual name	ar				
Signature					
Date	Date 10/14/05				
CERTIFICATE OF MAILING/TRANSMISSION					
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.					
Typed or printed name Nedy Calderon					
Signature	nesn	Collein		Date	October 14, 2005

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FEE TRANSMITTAL for FY 2005 Patent foos are subject to servual revision.		Complete if Known				
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		Filing Date		ьет 18, 200	03	
		First Named Inventor	Jeffrey	W. Baxter		
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			Art Unit	3739		
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SUBMITTED BY					Comp	olete (if applicable)
Name (Ркім/Тур іі)	William Thomas Ba	abbitt	Registration No. (Augrey/Ageni) 3	9,591	Telephone	(310) 207-3800
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FEE TRANSMITTAL for FY 2005 Palant fees we subject to annual rendation.		Complete if Known				
		Application Number	10/718,2			
		Filing Date	Novemb	er 18, 200	3	
		First Named Invento		V. Baxter		
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METHOD OF	PAYMENT (check a	ll that apply)	_			
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SUBTOTAL (2)						
SUBMITTED BY Complete (if applicable)						
Name (Print/Type)	William Thomas B	abbitt	Registration No. (Atlomey/Agent)	39,591	Telephone	(310) 207-3800
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PAGE 4/15 * RCVD AT 10/14/2005 7:28:06 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/30 * DNIS:2738300 * CSID:3108205988 * DURATION (mm-ss):03-30

Based on PTO/SB/17 (12-04) as modified by Blakely, Scholoff, Teylor & Zafman (w.r.) 12/16/2004. SEND TO: Commusioner for Patents. P.O. Box 1450, Alexandria, VA 22313-1460

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Art Unit 3739

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Examiner: Johnson III, Henry M.

BSTZ No. 00431.P005C2 Guidant No. R0037C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jeffrey W. Baxter, et al.

Application No. 10/718,272

Filed: 11/18/2003

For: Apparatus and Method for Minimally

INVASIVE SURGERY USING ROTATIONAL

CUTTING TOOL

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the final Office Action mailed August 9, 2005, Applicants respectfully request entry of the following amendment.